

*Kershnar v. Kolison*  
Motion for Preliminary Injunction

Decl. Adam Steinbaugh

EXHIBIT 32



THE

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# LEADER

SUNY FREDONIA'S  
STUDENT-RUN NEWSPAPER

**Welcome back, SUNY Fredonia!**

**COVID-19 Cases Rise On Campus  
Canceled Kershner Classes**

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**Williams Center Opens  
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# Dr. Stephen Kershner's assigned classes canceled one week into the Fall 2022 semester

**CHLOE KOWALYK**

Managing Editor

Last semester, Dr. Stephen Kershner's views were called to question after a Twitter post by @libsoftiktok showed a video of Kershner on a podcast defending views that adult-child sexual relationships aren't necessarily harmful.

After further controversy over what many regarded as Kershner's defense of pro-rape and sexist views, Kershner was told he would no longer have teaching obligations last semester.

Since then, Kershner has not been back in the classroom.

While registering for classes last semester, SUNY Fredonia students were left wondering why a few of the philosophy classes were left blank, without a professor listed.

Several students had noticed last spring that Kershner was set to teach three courses in the fall, according to YourConnection's "Class Schedule Search" for Fall 2022. The three courses included PHIL-115: Introduction to Philosophy, PHIL-303: Crime and Punishment and PHIL-351: Metaphysics.

Then, in March, Kershner's name was removed from the classes, yet the classes remained available for registration.

This left many students confused about who their professor would be for the classes they signed up for.

Dr. Neil Feit, a distinguished teaching professor in philosophy, voiced his frustrations regarding the situation as well.

Feit posted his thoughts and opinions on a faculty and staff email message board called "Proftalk." Feit wrote that on Wednesday, Aug. 24, Kershner was informed that he "does not have teaching or service obligations to this semester." He was told to use this time to conduct research.



Graphic by Angelo Petrilli.

This leaves Feit as the only permanent philosophy faculty member teaching during the Fall 2022 semester.

When it came time for the first day of classes, students found out that their first class would be canceled.

On Thursday, Aug. 25, students found a sign that was listed as a “class notice” that said class was to be canceled again.

Feit said that the sign was not made or taped up by anybody associated with the philosophy department, despite the “Philosophy Department” label at the top of the sign. “This is misleading at best and a lie at worst,” Feit wrote.

Students received an email at 11:49 p.m. on Friday, Aug. 26, from Dr. Andy Karafa, the dean of College of Liberal Arts and Sciences. The email notified the registered students of the cancellation and described what students should do next.

The email read as follows: “Dear Students, I am writing to notify you that [class name] is being canceled. I recognize that this is more than a minor inconvenience and requires you to rethink the composition of your fall schedule. (We also understand that this has likely been a frustrating experience for you, especially the last-minute notices you have found on the classroom’s doors.) We have tried to avoid this outcome; unfortunately we have been unable to do so at this time and have determined that giving you time to develop a plan B is now the best option.

If you would like help exploring a plan B, reach out to your academic advisor as soon as possible or stop in to Academic Advising Services on the 4th floor of Reed Library from 8:00 am - 4:30 pm. Please note that the final day for web registration is today, Friday August 26.”

Feit said he was never informed about the cancellations, and their chairperson’s office was not aware until 10 minutes before the class on Tuesday was supposed to begin.

“This is an extreme disservice to these students, among them philosophy majors and minors who need the upper-level courses to satisfy program requirements,” Feit wrote.

One student, who wished to remain anonymous due to the nature of the situation, is currently a philosophy major.

They were registered for two philosophy classes: PHIL-303: Crime and Punishment and PHIL-351: Metaphysics.

While the student believes that Kershner is protected under the First Amendment and should be treated as such, they were frustrated with the cancellation of their classes.

“Honestly, it’s annoying, but not the end of the world,” the student said. “There’s another high level PHIL class that I switched into.”

**“Something here is not true, and this does not reflect well on our administrators’ ability to do their jobs to enable faculty help teach students.”  
- Dr. Neil Feit**

Feit explained that the need to find a professor for these three philosophy classes was known since the Spring 2022 semester. “I put the looming problem of staffing the courses, especially the upper-level ones, on the Dean’s radar...” Feit wrote. He did so by emailing the Dean back in April. Feit said that neither he nor his chairperson received any instructions, requests or further information during the spring or summer.

Feit told The Leader that he has two concerns regarding the issue. First, he worries about the upcoming Spring 2023 semester. Feit says that there are currently philosophy courses assigned to Kershner, but he is unsure what is going to come of them. “I don’t want this whole mess to occur again,” Feit wrote.

Additionally, Feit is concerned about what he sees as “mismanagement” in SUNY Fredonia’s Academic Affairs. He wishes for better communication between campus administrators and staff.

Feit asked Provost David Starrett some questions regarding the situation. Feit wrote, “He said that it was only on the

Wednesday of the first week of classes that they made a decision about the three Philosophy courses, and he agreed that this implies that until then, they entertained the possibility of reinstating Professor Kershner to teaching duties.”

According to Feit, Starrett sent a letter to Kershner the same day directing him to work off campus due to ongoing concerns for his safety and the safety of others.

“But if there really were ongoing safety concerns significant enough to keep Kershner off campus, it does not make sense that they entertained the possibility of him teaching up until that day,” Feit said. “Something here is not true, and this does not reflect well on our administrators’ ability to do their jobs to enable faculty help teach students.”

SUNY Fredonia President Stephen Kolison also spoke to The Leader regarding the ongoing situation.

“When we cancel classes, it’s because of the circumstances that have reached a level where we are having difficulties in addressing, such as finding adequate instructors to cover a class,” Kolison said.

According to data provided by Kolison, last fall, in general, four classes were canceled after the semester began. In the Spring 2022 semester, three classes were canceled after the start of the semester. It’s common for classes to be canceled after the start of the semester.

Kolison also noted that the college works closely with students to make sure they are able to find the classes they need and not fall behind in their studies. “Most students that were in these courses have been placed in other classes,” Kolison said.

He also said that this is not the first time classes have needed to be canceled here on campus. “There are different times that you run into some different circumstances that make it difficult for the class [run]. They can go from low enrollment all the way up to not having enough instructors to cover it in a timely manner.”

Overall, Kolison said that he is working to best ensure that students are able to continue their education without being too negatively impacted by the continuing situation.